

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARIA JOSE PIZARRO,	:	
	:	
Plaintiff,	:	<u>ORDER REGULATING</u>
	:	<u>PROCEEDINGS</u>
-against-	:	
	:	
EUROS EL TINA RESTAURANT LOUNGE and	:	20 Civ. 5783 (AKH)
BILLIARDS CORP., SANTIAGO QUEZADA,	:	
And SANTIAGO QUEZADA, Jr.,	:	
	:	
Defendants.	:	
	:	
-and-	:	
	:	
JOSE E. CASTRO, ELADIO CASTRO	:	
PRODUCTIONS, INC., EMITON FERNANDEZ	:	
a.k.a. EMILIO FERNANDEZ, NARCISO	:	
GOMEZ, ZOILIMAR MEJIA a.k.a ZULIMAR	:	
MEJIA, and TOMAS ANDRES PIZARRO	:	
ZEPEDA,	:	
	:	
Third Party Defendants.	:	
	:	
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ALVIN K. HELLERSTEIN, U.S.D.J.:

On May 20, 2022 I held a status conference to review the proceedings going forward. Plaintiff represented that she seeks no further discovery and is ready for trial. Defendants represent that, except for discovery sought in Defendants' letter seeking reconsideration of my March 24, 2022 order (ECF No. 136), they seek no further discovery related to Plaintiff's claims.

Trial of Plaintiff's claims will begin March 6, 2023 at 10:00 a.m. The Final Pretrial Conference will take place on March 2, 2023 at 11:00 a.m. If an earlier date for trial becomes available, the parties will be given two weeks notice before such date and trial will take place beginning on that date.

Defendants seek reconsideration as to their discovery demands regarding communications between plaintiff and Jose Castro, a witness for the plaintiff and a third-party defendant. Plaintiff represents that full production in response to defendants' demands has been made, and that there are no further documents in plaintiff's possession, custody or control. Such representations shall be made by sworn writings, by Plaintiff Maria Pizarro and Plaintiff's counsel separately, each attesting that diligent search has been made for all responsive documents, that full production has been made, and that there are no further documents in Plaintiff's possession, custody or control responsive to Defendants' demand. Witness and third-party defendant Castro and his counsel shall each file similar affidavits as to documents in Castro's possession, custody, or control. The affidavits are due to be filed May 27, 2022.

As to the third-party complaint, the schedule I previously ordered has become unjust in light of the long delay to trial of the main case. Third-Party Defendants seek no further discovery and wish to file a motion for summary judgment. Third-Party Plaintiffs (Defendants in the main action) state that discovery remains. The Third Parties shall jointly submit a letter, pursuant to Rule 2E of my Individual Rules, describing any remaining discovery, or disputes thereto, according to the following schedule: Third-Party Plaintiffs (Defendants) shall serve their portion of the letter by June 3, 2022; Third-Party Defendants, by June 8, 2022; and, following conferences between them, a joint letter shall be filed on June 10, 2022. My ruling thereon will regulate further proceedings.

SO ORDERED.

Dated: May 20, 2022
New York, New York

/s/ Alvin K. Hellerstein
ALVIN K. HELLERSTEIN
United States District Judge